

REMARKS

Applicants request reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-30 and 32-34 are pending in the present application. Claims 1, 9, and 26 are the independent claims.

Claim 31 has been cancelled. Claims 9 and 26 have been amended. No new matter is believed to have been added.

Initially, Applicants acknowledge with appreciation the indication that claims 2, 6, 7, 12, 13, 16-18, 23, 27, 28, and 31 recite patentable subject matter and would be allowable if rewritten in independent form to include all of the features of the base claim and any intervening claims. Applicants have respectfully maintained claims 2, 6, 7, 12, 13, 16-18, 23, 27, and 28 in dependent form because it is believed that their respective base claims (claims 1 and 9) are allowable over the citations of record for at least the reasons set forth below. However, Applicants have cancelled claim 31 and amended independent claim 26 to recite the feature of claim 31. Thus, it is respectfully submitted that independent claim 26 patentably defines the present invention over the citations of record.

Claims 1, 3-5, 8-11, 14, 15, 19-22, 24-26, 29, 30 and 32-34 stand rejected under 35 U.S.C. § 102(e) as being anticipated U.S. Patent No. 6,084,843 (Abe et al.). This rejection is respectfully traversed.

Independent claim 1 recites, inter alia, a hologram light coupler to separately guide the first and second light beams along a common optical path to the respective first and second recording media.

Independent claim 9 recites, inter alia, a light coupler to receive the first and second light beams incident at different angles on a surface, and to transmit and/or diffract portions of the received first and second light beams along the emitting optical path, the light coupler being disposed between the light device module and the optical path changing unit.

Abe et al. teaches a recording and reproducing apparatus that includes a compound laser diode 21 having respective first and second laser chips 21A and 21B which respectively emit lights of first and second wavelengths, a grating 22A disposed downstream of the compound laser diode, a beam splitter 23, and a refractive objective lens 26. (Abe et al., FIG.

9). The first laser chip is disposed off the optical axis of the refractive objective lens while the second optical chip is disposed on the optical axis of the refractive objective lens. (Abe et al., Col. 7, lines 44-51). Abe et al. teaches that the lights of the first and second wavelengths respectively emitted from the first and second laser chips are incident on the beam splitter. (Abe et al., Col. 7, lines 49-57). However, Abe et al. also teaches that the light of the first wavelength must be transmitted through the grating which divides the light from the first chip by "a substantially predetermined number" so that the divided lights are incident on the beam splitter. (Abe et al., Col. 7, lines 52-57). In contrast, the light of the second wavelength, because it is emitted on the axis of the refractive objective lens, does not travel through the grating and is shown to travel directly to the beam splitter. (Abe et al., FIG. 9; Col. 7, lines 48-1). Thus, the grating 22A of Abe et al. does not meet the aforementioned features of independent claims 1 and 9.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 1 and 9 under 35 U.S.C. § 102 are respectfully requested.

In view of the foregoing, Applicants respectfully submit that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicants submit that this Amendment After Final Rejection clearly places the subject application in condition for allowance. This Amendment was not earlier presented, because Applicants believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of the instant Amendment as an earnest attempt to advance prosecution and reduce the number of issues is requested under 37 C.F.R. § 1.116.

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.

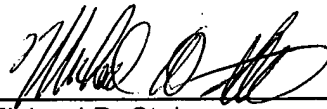
There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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